



04-10-04
Smafe

1626\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Mark Nelson *et al.*

Serial No.: 09/895,812

Filed: June 29, 2001

For: 7-Substituted Tetracycline Compounds

Attorney Docket No.: PAZ-080CP

Group Art Unit: 1626

Examiner: R. T. Shiao

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

"Express Mail" mailing label number EV 377 650 028 US

Date of Deposit April 9, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Post Office Box 1450, Alexandria VA 22313-1450.

Signature

Cynthia M. Soroos
Cynthia M. Soroos

Please Print Name of Person Signing

AMENDMENT CORRECTING INVENTORSHIP UNDER CFR §1.48(b)

Dear Sir:

Please amend the inventorship of the pending application by deleting:

"Mohamed Ismail, Todd Bowser, Laura McIntyre, Darrell Koza, Glen Rennie, Pail Sheahan, Paul Hawkins, Atul Verma, Tadeusz Warchol, Upul Bandarage"

from the list of inventors. The correct and complete inventor listing for the pending application should read:

"Mark L. Nelson, Roger Frechette, Peter Viski, Beena Bhatia, David Messersmith"

04/14/2004 EFLORES 00000088 120080 09895812

01 FC:1460 130.00 DA

REMARKS

Entry of this amendment is respectfully requested and is believed appropriate under 37 CFR §1.48 (b).

The amendment to correct inventorship is required because the prosecution of the instant application resulted in the amendment or cancellation of the claims so that fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the instant application. The inventions of Mohamed Ismail, Todd Bowser, Laura McIntyre, Darrell Koza, Glen Rennie, Pail Sheahan, Paul Hawkins, Atul Verma, Tadeusz Warchol, and Upul Bandarage are no longer being claimed in the instant application.

The appropriate processing fee under 37 CFR §1.17(i) is included herewith.

Should there be any questions regarding the proposed amended inventorship listing, a telephone interview is respectfully requested to resolve such issues.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP



By: Cynthia M. Soroos
Reg. No. 53,623
Attorney for Applicants

28 State Street
Boston, MA 02109-1784
Tel: (617) 227-7400
Fax: (617) 742-4214

Date: April 9, 2004



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	09/895812-Conf. #1583
Filing Date	June 29, 2001
First Named Inventor	Mark L. NELSON
Examiner Name	R. T. Shiao
Art Unit	1626
Attorney Docket No.	PAZ-080CP

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

12-0080

Deposit
Account
Name

Lahive & Cockfield, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
195	-195** =		x		=	0.00
10	-10** =		x		=	0.00
Multiple Dependent						

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)				1808 Processing fee, except in provisional applications	130.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Cynthia M. Soroos	Registration No. (Attorney/Agent)	53,623	Telephone	(617) 227-7400
Signature		Date	April 9, 2004		

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 377 650 028 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 9, 2004

Signature: (Cynthia M. Soroos)



PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/895812-Conf. #1583
		Filing Date	June 29, 2001
		First Named Inventor	Mark L. NELSON
		Art Unit	1626
		Examiner Name	R. T. Shiao
Total Number of Pages in This Submission	4	Attorney Docket Number	PAZ-080CP

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment Correcting Inventorship Under CFR §1.48(b) (2 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	LAHIVE & COCKFIELD, LLP Cynthia M. Soroos - 53,623
Signature	
Date	April 9, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express-Mail, Airbill No. EV 377 650 028 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: April 9, 2004	Signature: (Cynthia M. Soroos)